



**Village of Westmont
Planning and Zoning Commission
May 13, 2015 - Minutes**

The Village of Westmont Planning and Zoning Commission held its regular meeting on Wednesday, May 13, 2015 at 7:00pm, at the Westmont Village Hall, 31 W. Quincy Street, Westmont, Illinois 60559.

Chair Ed Richard led in the following:

(1) Call to Order

In attendance: Chair Ed Richard, Commissioners Gregg Pill, Craig Thomas, Janis Bartel, Doug Carmichael, Thomas Sharp, Secretary Wallace Van Buren, Village Attorney John Zemenak, Community Development Director Jill Ziegler, Building Commissioner Nick Weinert, Code Enforcement Officer Joe Hennerfeind.

Absent: Craig Thomas

(2) Pledge of Allegiance.

(3) Swearing in of testifying attendees and reminder to sign in.

(4) Reminder to silence all electronic devices.

(5) Approval of Minutes

(6) Approval of Minutes of the April 8, 2015 meeting.

Motion to approve the Minutes of the April 8, 2015 meeting.

Motion: Pill

Second by: Van Buren

VOTING--Minutes

Pill--Yes

Van Buren--Yes

Bartel--Yes

Carmichael--Yes

Sharp--Yes

Richard--Yes

Motion passed.

1. Open Hearing

New Business

PZ 15-013 Atia Carter regarding the property located at 20-24 South Cass Avenue, Westmont, IL 60559 for the following in the B-1 Limited Business District:

(A) Special Use Permit request to operate a ground floor hair salon.

(B) Zoning Code Variance request to reduce the number of required off-street parking stalls.

PRESENTATION: Atia Carter presented that she is hoping to start her own business. She is requesting a parking variance, she will have 37 parking spaces but does not have enough space to add additional spaces on the property. The property owner, who also owns adjacent property, mentioned there are available and sufficient parking spaces.

PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler stated that as mentioned by the applicant, the business owner will not be able to expand the parking lot and will be renting a very small tenant space that was previously operated as a salon. There is no differentiation between studio apartments and regular apartments which both have a requirement of 2-½ spaces, so staff feels there is sufficient parking.

COMMISSIONER COMMENT:

Carmichael: seems reasonable and good use of space.

Van Buren: agreed.

Pill: no issues.

Sharp: no issues.

Bartel: no issues.

Richard: no issues.

FINDINGS OF FACT A:

(1) Yes-6; No-0

(2) Yes-6; No-0

(3) Yes-6; No-0

(4) Yes-6; No-0

(5) Yes-6; No-0

(6) Yes-6; No-0

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use Permit request to operate a ground floor hair salon.

Motion by: Van Buren

Second by: Bartel

VOTING A

Pill--Yes
Van Buren--yes
Bartel--Yes
Carmichael--Yes
Sharp--yes
Richard--Yes
Motion passed.

FINDINGS OF FACT B:

- (1) Yes-6; No-0
- (2) Yes-6; No-0
- (3) Yes-6; No-0

MOTION B

Motion to recommend to the Village Board of Trustees to approve a Zoning Code Variance request to reduce the number of required off-street parking stalls.

Motion by: Carmichael
Second by: Pill

VOTING B

Pill--Yes
Bartel--Yes
Carmichael--Yes
Van Buren--Yes
Sharp--Yes
Richard--Yes
Motion passed.

PZ 15-014 **Bryan Kearney regarding the property located at 700 East Ogden Avenue, Westmont, IL 60559 for the following in the B-2 Limited Business District:**

(A) Special Use permit request to operate a driver's education school.

PRESENTATION: Bryan Kearney presented that he is requesting a special use permit to operate a driver's education school. He has experience as a driver's education teacher for high school students, and most of business will be after school during ten months out of the year. There will be parking in the back with no parking on Ogden Avenue.

PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler stated that by code it requires a special use since it is considered a school. There are no concerns with congestion for parking and mostly parents have students dropping off.

COMMISSIONER COMMENT:

Bartel: inquired about behind the wheel instruction. Reply: The behind the wheel instruction will be in the instructor car and they will pick up student from their home and take out in area for instruction, it would not be on site.

Sharp: inquired about security and safety, lighting of parking lot. Reply: there is security and lighting and in his personal assurance that he will wait on site until all students are picked up.

Pill: believes that this is exactly what belongs in this unit.

Van Buren: agree.

Carmichael: agree.

Richard: agree.

FINDINGS OF FACT A:

(1) Yes-6; No-0

(2) Yes-6; No-0

(3) Yes-6; No-0

(4) Yes-6; No-0

(5) Yes-6; No-0

(6) Yes-6; No-0

(7) Yes-6; No-0

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Special Use permit request to operate a driver's education school.

Motion by: Bartel

Second by: Carmichael

VOTING A

Pill--Yes

Bartel--Yes

Carmichael--Yes

Sharp--Yes

Van Buren--Yes

Richard--Yes

Motion passed.

PZ 15-015 Dr. Akhtar Parvaiz regarding the property located at 6125 South Cass Avenue, Westmont, IL 60559 for the following in the C-1 Commercial District:

(A) Special Use Permit request to operate a ground floor medical office.

(B) Zoning Code Variance request to reduce the number of required off-street parking stalls.

PRESENTATION: Mohammad Akhtar (son of Dr. Aktar Parvaiz) presented for Dr. Parvaiz requesting special use and parking variance. Anthony Gary, general contractor attended as well. Mrs. Wahiba Akhtar (wife of Dr. Parvaiz) mentioned that their goal is to open in local area.

PUBLIC COMMENT: None.

STAFF COMMENT: Ziegler noted that staff has been working with the applicants because there were concerns with the first proposal, part of which is due to TIF district and hope for retail in that area. This included some landscape adjustments and adding a pharmacy so that there is some retail aspect.

Currently, they have added some additional parking so they are only short 3 spaces and added more buffers in landscaping. If the property was not going to redevelopment the additional landscaping would approve the look of the area. They feel that most of the objections have been adjusted with this new proposal. Attorney mentioned the pharmacy is approved for this area, not a special use. Attorney inquired about cross access. Ziegler stated they would like to see cross access if the property redeveloped. Attorney would like to see cross access granted from neighbors within next month. Hennerfeind mentioned that the cross access and an asphalt area could serve for additional parking or area for dumpster.

COMMISSIONER COMMENT:

Carmichael: inquired about how building permit was granted prior to the special use being granted, how this property would affect future development.

Van Buren: this has been a long process and site is an eyesore if we do not continue to move forward and help to expedite that we should work with them on.

Pill: clearly not what we want for this area, inquired about use of x-rays and surgery, pharmacy does add a retail component, feels that we need to make sure with new construction that they make development meet criteria, but on redevelopment that they require them to match look in area. Reply: they will have xrays, local outpatient surgery.

Sharp: in talking about back cross access, would request that phase two of cross access allow for north and south direction, not only one direction.

Bartel: supportive having area rehabbed and inclusion of pharmacy is a good idea, concerned that business is able to be successful.

Richard: not happy that the permit mistake went through before special use, would like to see the streetscape meet what they will be doing at Mariano's, would like to see thicker density at back due to residents behind area, mentioned property looks terrible and needs lawn mowed.

Attorney: very difficult for small pharmacies due to large CVS and Walgreens corporate pharmacies and would request staff require applicants to research pharmacy aspect and get commitment.

MOTION A

Motion to postpone item to next meeting.

Motion by: Pill

Second by: VanBuren

VOTING A

Pill--Yes

Bartel--Yes

Carmichael--Yes

Van Buren--Yes

Sharp--Yes

Richard--Yes

Motion passed.

PZ 15-016 Village of Westmont regarding a Zoning Code text amendment as follows:

(A) Amend Appendix A, Section 4.05 of the Westmont Zoning Code and Chapter 18, Article VIII of the Municipal Code and Appendix C, Schedule of Fees, Taxes and Charges regarding fence regulations.

PRESENTATION: Ziegler introduced Nick Weinert, Building Commissioner, to present on this item. Weinert presented that when a fence is installed they check height and lot lines, type of fence meeting area, currently no requirements for JULIE locates, no post hole inspections or post hole depths, the goal is to have a standard and reduce fees to homeowners, standard on post holes, good side out construction. It was mentioned having a post hole standard of 36" to prevent frost heave, but not having extreme depth of 42" which most augers cannot reach since they are typically 36".

PUBLIC COMMENT: None.

STAFF COMMENT: Attorney inquired about indemnification clause included so that Village is not responsible for placement on lot lines, possibly include in ordinance or on application for them to sign. Joe Hennerfeind mentioned there is language that is in ordinance that could be improved to include indemnification.

COMMISSIONER COMMENT:

Van Buren: asked about plat of survey if they will need new survey. Reply: no they will use existing plat to determine lot lines.

Sharp: inquired about chart on fence materials and depth for different heights of fences. Reply: the standard of 36" was based on frost heave, there should be criteria for how a fence is installed.

Pill: mentioned that we would be first Village to have post hole inspection. Reply: thinks that we should have a proactive policy since it will be easier to move a fence holes prior to install rather than move a whole fence once it is installed.

Bartel: inquired about whether there would no be two inspections. Reply: there would be one inspection of the post holes and then final would be at Village convenience and could be a group of inspection all in one area.

Richard: inquired whether initial topics were addressed. Reply: Hennerfeind replied that after research they picked the top topics but all items are still up for discussion.

MOTION A

Motion to recommend to the Village Board of Trustees to approve a Amend Appendix A, Section 4.05 of the Westmont Zoning Code and Chapter 18, Article VIII of the Municipal Code and Appendix C, Schedule of Fees, Taxes and Charges regarding fence regulations.

Motion by: Bartel

Second by: Van Buren

VOTING A

Pill--Yes

Bartel--Yes

Carmichael--Yes

Van Buren--Yes

Sharp--Yes

Richard--Yes

Motion passed.

(8) Motion to adjourn.

Motion by: Pill

Second by: Carmichael

Meeting adjourned 8:18 pm.